



**United States Department of the Interior
Bureau of Land Management**

Battle Mountain District Office
Battle Mountain, Nevada
Tonopah Field Office
Tonopah, Nevada

June 2010

NVN-072662
NV065-EIS06-163



Round Mountain Expansion Project

**Record of Decision and
Plan of Operations Amendment Approval**

COOPERATING AGENCY:

Nevada Department of Wildlife

BLM Mission Statement

The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times.

Management is based upon the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology. These resources include recreation, rangelands, timber, minerals, watershed, fish and wildlife, wilderness, air and scenic, scientific, and cultural values.

BLM/NV/BM/EIS-GI-09/15+1793

Cover: Picture provided by Round Mountain Gold Corporation.



United States Department of the Interior



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In Reply Refer To:
NV065-EIS06-163
1790
NVN-072662
3809

JUN 30 2010

Dear Reader:

Enclosed is a copy of the Record of Decision (ROD) and Plan of Operations Approval for the Round Mountain Expansion Project Final Environmental Impact Statement (Final EIS), NVN-072662, prepared by the Bureau of Land Management (BLM), Tonopah Field Office.

The BLM's selection of a Preferred Alternative was based on the BLM's National Environmental Policy Act (NEPA) analysis of the Plan, including public comments received throughout the NEPA process. The decision of the Tonopah Field Manager, BLM Battle Mountain District, is to select the Proposed Action inclusive of committed environmental protection measures and the mitigation measures specified in Chapter 4.0 of the Final EIS, as the BLM's Preferred Alternative. The Preferred Alternative is the alternative that best fulfills the agency's statutory mission and responsibilities, considering economic, environmental, technical, and other factors. The BLM has determined that implementation of this decision with the identified monitoring and mitigation measures will not cause unnecessary or undue degradation of the public lands. The decision authorizes the development of new facilities and an expansion of existing gold mining and processing operations at the Round Mountain Operations Area located in south-central Nevada, approximately 55 miles north of the town of Tonopah in Nye County.

If you wish to appeal this decision, the appeal procedures are outlined beginning on page 24 of the enclosed document.

Please contact Christopher Worthington should you have any questions or would like additional information at (775) 635-4000.

Sincerely,

Thomas J. Seley
Field Manager

**RECORD OF DECISION
AND
PLAN OF OPERATIONS AMENDMENT APPROVAL**

Round Mountain Expansion Project

NVN-072662
NV065-EIS06-163

U.S. Department of the Interior
Bureau of Land Management
Battle Mountain District
Tonopah Field Office
P.O. Box 911 (1553 S. Main St.)
Tonopah, NV 89049

Record of Decision and Plan of Operations Amendment Approval:



Thomas J. Seley
Field Manager

JUNE 30, 2010

Date Signed

SUMMARY

The Round Mountain Gold Corporation (RMGC) proposes to construct and operate the Round Mountain Expansion Project (Project), which will include the expansion of its existing gold mining and processing operations in the Round Mountain Area and the development of new facilities in the Gold Hill Area, located to the north of the Round Mountain Area. The Project is located in south-central Nevada approximately 55 miles north of the town of Tonopah in Nye County. In June 2006, RMGC submitted an amendment to its current Plan of Operations (POO) (NVN-072662) for the proposed Round Mountain Mine Expansion Project (Proposed Action) to the Bureau of Land Management (BLM) Tonopah Field Office of the Battle Mountain District, in compliance with Title 43 Code of Federal Regulations (CFR), subpart 3809 (43 CFR §3809) and 3715, as amended, and State of Nevada regulations governing the reclamation of mined lands (Nevada Administrative Code [NAC] 519A.010-635). A revised POO Amendment for the Proposed Action was submitted in May 2008, and in June 2009.

The proposed mining activities are subject to review and approval by the BLM pursuant to the Federal Land Policy and Management Act of 1976 as amended, and the BLM's surface management regulations (43 CFR Subpart 3809). The BLM's review and approval of a mine plan of operations under the surface management regulations constitutes a federal action that is subject to the National Environmental Policy Act of 1969 (NEPA). The BLM determined that the Project constitutes a major federal action and determined that an environmental impact statement (EIS) was required to fulfill NEPA requirements. A Notice of Intent to prepare an EIS was published in the Federal Register (FR) on December 26, 2006. Public scoping meetings for the EIS were held in Hadley and Tonopah, Nevada, on January 16 and 17, 2007, respectively. The comments received during the scoping process were considered in developing the Draft EIS.

A 45-day public comment period for the Draft EIS commenced on July 31, 2009, with the publication of the Draft EIS Notice of Availability (NOA) in the FR. Public meetings for the Draft EIS were held in Hadley and Tonopah, Nevada, on August 18 and 19, 2009, respectively. The comments received during the public comment period were considered in preparing the Final EIS. A 30-day review period for the Final EIS commenced on April 23, 2010 with the publication of the Final EIS NOA in the FR.

The BLM's selection of a Preferred Alternative was based on the BLM's NEPA analysis of the Plan, including public comments received throughout the NEPA process. The decision of the Tonopah Field Manager, BLM Battle Mountain District, is to select the Proposed Action (with the committed environmental protection measures) and the mitigation measures specified in Chapter 4.0 of the Final EIS, as the BLM's Preferred Alternative. The Preferred Alternative is the alternative that best fulfills the agency's statutory mission and responsibilities, considering economic, environmental, technical, and other factors. The BLM has determined that implementation of this decision with the identified monitoring and mitigation measures will not cause unnecessary or undue degradation of the public lands.

**RECORD OF DECISION
and
PLAN OF OPERATIONS AMENDMENT APPROVAL**

**Round Mountain Gold Corporation-
Round Mountain Expansion Project**

**Plan of Operations #: NVN-072662
EIS#: NV065-EIS06-163**

PREPARED BY:
Bureau of Land Management
Battle Mountain District
Tonopah Field Office
Tonopah, Nevada

COOPERATING AGENCY:
Nevada Department of Wildlife

INTRODUCTION

The Round Mountain Gold Corporation (RMGC) proposes to construct and operate the Round Mountain Expansion Project (Project), which will include the expansion of its existing gold mining and processing operations in the Round Mountain Area and the development of new facilities in the Gold Hill Area, located to the north of the Round Mountain Area. The Project is located in south-central Nevada approximately 55 miles north of the town of Tonopah in Nye County. In June 2006, RMGC submitted an amendment to its current Plan of Operations (POO) (NVN-072662) for the proposed Round Mountain Mine Expansion Project (Proposed Action) to the Bureau of Land Management (BLM) Tonopah Field Office of the Battle Mountain District, in compliance with Title 43 Code of Federal Regulations (CFR), subpart 3809 (43 CFR §3809) and 3715, as amended, and State of Nevada regulations governing the reclamation of mined lands (Nevada Administrative Code [NAC] 519A.010-635). A revised POO Amendment for the Proposed Action was submitted in May 2008, and in June 2009.

The Project is located within Township 9 North (T9N), Range 43 East (R43E); T9N, R44E; T10N, R43E; T10N, R44E; T11N, R43E; and T11N, R43E in Nye County. The majority of the new surface disturbance will be located on public lands administered by the BLM Battle Mountain District (BMD); private lands owned by RMGC also will be associated with the project.

RMGC may mine the ore bodies associated with the Project concurrently or sequentially. The majority of the high grade ore mined under the Project will be processed at the existing Round Mountain mills; the primary method of processing low grade ore will be heap leaching. Proposed activities in the Round Mountain Area would include the expansion of the existing Round Mountain Project Boundary; and expansion of the Round Mountain open pit, north waste rock dump, mill facility, tailings impoundment, growth media and ore stockpiles, stormwater control and diversion structures, dewatering operations for

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the open pit, west and south dedicated leach pads, reusable pad, and process facilities. New facilities would include the development of the north dedicated leach pad and process facilities, lime silos, and surface installations and portal entry for an underground mine located near the bottom of the Round Mountain Pit. Exploration for additional gold ore reserves would be conducted within the Round Mountain Area. In the Gold Hill Area, new mining facilities would be developed including an open pit, two waste rock dumps, heap leach facility, Merrill-Crowe precipitation plant, retort and refinery, haul roads and secondary roads, production water wells, rapid infiltration basins (RIB's), and ancillary facilities. Exploration for additional gold ore reserves also would be conducted within the Gold Hill Area. The proposed project would include the construction of a 1.1-mile-long Transportation/Utility Corridor between the Round Mountain and Gold Hill areas, which would include a haul road, electric transmission line, water pipeline, and communication lines.

The Project will require new surface disturbance of approximately 4,698 acres, including 4,581 acres of public land administered by the BLM and 117 acres of private land owned by RMGC. The anticipated pit mine life would be approximately 13 years, followed by ore processing, reclamation, site closure activities, and post-closure monitoring.

Mining activities located on public lands are subject to review and approval by the BLM pursuant to the Federal Land Policy and Management Act of 1976 (FLPMA) as amended, and the BLM's surface management regulations (43 CFR Subpart 3809). The BLM's review and approval of a mine plan of operations under the surface management regulations constitute a federal action that is subject to the National Environmental Policy Act of 1969 (NEPA). The BLM determined that the Project constitutes a major federal action and determined that an environmental impact statement (EIS) was required to fulfill NEPA requirements. The BLM served as the lead agency for preparing the EIS; the Nevada Department of Wildlife (NDOW) served as a cooperating agency for preparation and review of the EIS. The EIS considered the quality of the natural environment based on the physical impacts to the public and private lands that may result from implementation of the Project.

The Proposed Action, two action alternatives (Gold Hill Area Processing Alternative and the County Road Overpass Alternative) and the No Action Alternative were analyzed in the Final EIS. In addition, three backfill alternatives, three ore processing alternatives, a conveyor alternative, a transportation/utility corridor alternative, two tailings alternatives, a heap leach pad alternative, and an underground Gold Hill alternative were considered but not analyzed in detail. The action alternatives were considered relative to their means of addressing the identified purpose and need, their technological and economic feasibility, as well as their potential to address environmental issues and reduce potential impacts. The No Action Alternative considered the continuation of RMGC's currently authorized mining activities, without the development of the Round Mountain Expansion Project.

DECISION

The decision of the Tonopah Field Manager, BLM Battle Mountain District, is to select the Proposed Action (inclusive of committed environmental protection measures) and the mitigation measures specified in Chapter 4.0 of the Final EIS, as the BLM's Preferred Alternative. Development of the Project is authorized by this decision. The BLM decision is based on the final Plan (NVN-072662, dated June 2009), submitted to

the BLM pursuant to 43 CFR 3809 and 3715, and the analysis in the Final EIS. In making this decision, BLM is relying on the Final EIS, the data and analyses prepared in connection with the Final EIS, and the prior NEPA documents identified in Appendices of the Final EIS. The BLM has determined that implementation of this decision with the identified environmental protection measures and monitoring and mitigation measures will not cause unnecessary or undue degradation of the public lands and is consistent with other applicable legal requirements.

All mitigation that has been developed and adopted is consistent with regulations and policies in order to avoid or minimize environmental harm resulting from the selection of the BLM's Preferred Alternative. Means or methods to avoid or minimize environmental harm resulting from the selection of the BLM's Preferred Alternative have been adopted. All mitigation will be implemented and enforced.

MANAGEMENT CONSIDERATIONS

The rationale for the above decision is supported by the Surface Management Regulations (43 CFR § 3809), FLPMA, and the Mining Law of 1872, as amended. The Plan has been analyzed under the Council on Environmental Quality implementing regulations for NEPA. Selection of the BLM's Preferred Alternative will allow RMGC to undertake and continue a legitimate use of the public lands in an environmentally sound manner without causing unnecessary or undue degradation.

The BLM's selection of the Preferred Alternative primarily was based on the impacts associated with social and economic values and recovery of a substantial portion of the identified mineral resource within the Round Mountain and Gold Hill deposits. The Proposed Action will have greater beneficial social and economic impacts (see Sections 3.9 and 4.9 of the Final EIS, Social and Economic Values) relative to employment, expenditures, and tax revenues, primarily in comparison to the No Action and other alternatives. Under the No Action Alternative, the identified mineral resources would not be developed, resulting in the loss of approximately 3.2 million ounces of recoverable gold and 7 million ounces of recoverable silver.

The BLM, NDOW, and RMGC have collaborated to mitigate environmental impacts that may result from the Project. RMGC's committed environmental protection measures and the mitigation measures outlined below will minimize adverse environmental impacts identified in the Final EIS. Monitoring requirements of the Plan and Final EIS will assist RMGC, the BLM, and others in identifying, mitigating, or avoiding unforeseen environmental impacts that may occur.

The BLM in coordination with the Nevada Division of Environmental Protection (NDEP) has determined that a reclamation bond is required for surface reclamation of the Project facilities and existing facilities for the Round Mountain Plan of Operations. The bond is subject to change based on periodic (1-year) review of the reclamation cost estimate.

The Preferred Alternative is in conformance with the Tonopah Resource Management Plan (RMP) Record of Decision (ROD) that states: "Make available and encourage development of mineral resources to meet national, regional, and local needs consistent with national objectives for an adequate supply of minerals."

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The RMP ROD also states “All public lands in the planning area will be open for mining and prospecting unless withdrawn from mineral entry.”

The Project is in conformance with the President’s National Energy Policy as put forth in Executive Order 13212 and will not have an adverse impact on energy development, production, supply, and/or distribution.

Summary of the Proposed Action

The Proposed Action includes the development of facilities at the new Gold Hill Area and the expansion of activities at the Round Mountain Area.

The project area at Round Mountain will expand to the north, south, and east from 7,263 acres to 10,385 acres. Ground disturbance will increase from an existing 5,928.0 acres to 8,944.5 acres. At Gold Hill, a project area of 4,928 acres will be delineated with proposed disturbance of 1,681.9 acres. A total of approximately 1,026 million tons of processed ore and 1,136 million tons of waste rock will be mined. The Proposed Action will involve the construction, or modification, of the following primary components:

Round Mountain Area:

- Increasing the existing Round Mountain Project Boundary Area from 7,263 to 10,385 acres, an incremental increase of 3,122 acres;
- Expanding the permitted Round Mountain Pit by about 209 acres to a total of approximately 1,289 acres and deepening the Round Mountain Pit by about 455 feet to approximately 4,610 feet in elevation;
- Expanding the dewatering operations for the open pit;
- Conducting underground mining operations;
- Expanding the North Waste Rock Dump by about 700 acres to a total of approximately 1,919 acres;
- Adding a North Dedicated Leach Facility with a footprint of about 538 acres, as well as process ponds and carbon adsorption plant;
- Expanding the Reusable Pad by about 8 acres to a total of approximately 51 acres;
- Expanding the West Dedicated Pad by about 38 acres and adding associated process ponds;
- Expanding the milling and flotation circuits to increase the processing rate from 11,000 tpd to approximately 22,000 tpd;
- Increasing tailings disposal capacity by adding cells with combined footprint of approximately 886 acres and associated reclaim ponds;
- Expanding the process facility areas by about 62 acres;
- Moving the primary and secondary crushing facilities;

- Expanding growth media and ore stockpile areas;
- Adding lime silos and/or lime slakers;
- Internal haul roads and secondary roads;
- Expanding the stormwater controls and diversions; and
- Conducting exploration for additional gold ore.

Gold Hill Area:

- Delineating a Project Boundary Area of approximately 4,928 acres;
- Constructing a 1.1-mile-long, 500-foot-wide (66.2 acres) Transportation/Utility Corridor connecting with the haul roads internal to the Round Mountain and Gold Hill areas;
- Excavating an open pit approximately 222 acres in size, which would include a 200-foot-wide buffer zone for potential variations resulting from design modifications, such as engineering adjustments to the open-pit perimeter and haul/access road realignments;
- Constructing 2 waste rock dumps for a total of approximately 552 acres;
- Constructing and operating a heap leach facility with an approximate footprint of 300 acres, as well as a portable jaw crusher within the leach pad footprint, associated lined solution ponds, collection and conveyance pipes, lined ditches, pumps, reagent storage, and associated controls; Constructing and operating a Merrill-Crowe precious metals precipitation plant, retort, and refinery;
- Developing internal haul roads and secondary roads;
- Installing dewatering wells and associated piping systems;
- Installing production water wells;
- Constructing RIBs for the infiltration of water from dewatering of the Gold Hill Pit;
- Constructing ancillary facilities including but not limited to: intramine area, stormwater controls, and diversion ditches; lime silos and a lime slaker; lined water storage pond; fuel storage; landfill; septic systems; and other support facilities; and
- Conducting exploration for additional gold ore.

Existing RMGC facilities will be used for the Project, to the extent possible, to minimize additional disturbance.

Land Ownership and Mining Claims

The Project boundary is composed of approximately 15,379.2 acres, of which 13,743.9 acres are public lands administered by the BLM, 515.7 acres administered by the United States Forest Service (USFS), and

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1,119,6 acres are private lands. The majority (97.5 percent) of the approximately 4,689 acres of new disturbance will occur on public lands administered by the BLM Battle Mountain District; the remainder of the new disturbance (2.5 percent) will occur on private lands owned by RMGC.

Schedule and Work Force

Construction and operation of the Project will be initiated in mid-2010, following RMGC's receipt of all required permits and approvals. The life of the mine will include approximately 13 years of active mining. Concurrent reclamation will be conducted during this period as areas become available. Ore processing will continue for several years after mining operations cease, followed by reclamation, site closure activities, and post-mining monitoring. RMGC currently employs approximately 700 workers at the existing Round Mountain Mine. Depending on the price of gold and other considerations, the Gold Hill Area may be developed concurrently with mining at the Round Mountain Mine, or development may occur as mining in the Round Mountain Area approaches completion. The operational life of the Gold Hill Area is estimated to be approximately 12 years. The majority of existing employees currently live in the communities of Carvers, Hadley, and Tonopah.

Simultaneous Development – Work Force

A construction work force of approximately 300 contract workers would be employed: 200 at Round Mountain for relocation of crushers and construction of the mill, leach pads, tailings impoundment facilities, and infrastructure; and 100 at Gold Hill for construction of processing facilities and infrastructure. An additional 110 direct employees would be hired for development and implementation of underground operations. Existing employees would continue working at the Round Mountain operations through the construction phase, which would be completed by the end of 2011 or earlier. At completion of construction, the 300 contract construction workers would be replaced by approximately 100 permanent operations employees for the Gold Hill Operations (depending on skill sets of the workers, some of the "construction" workers may transition to operations). The existing total employment level of approximately 730 workers would grow to a maximum of 1,140 during construction, would range between 760 and 940 through completion of surface mining in 2016, when it would begin a gradual decline to approximately 340 for continued processing of ore and reclamation activities through 2017. Total employment would decline to approximately 40 to 80 workers from 2018 through 2021 as closure and final reclamation activities are completed. It is expected that the proposed project would terminate at the end of 2021.

Sequential Development – Work Force

A construction work force of approximately 200 would be contracted for approximately 12 to 24 months, beginning in 2010, to relocate the crushers and construct leach pads, mill, tailings impoundment facilities, and associated infrastructure at Round Mountain. At the same time, or perhaps slightly sooner, approximately 110 employees would be hired for underground mining operations. Subsequently, in about 2014, approximately 100 construction workers would be contracted to construct Gold Hill processing facilities and infrastructure. No additional surface mine operations employees would be hired under the sequential development scenario. Since Gold Hill would not begin operations until Round Mountain operations were scaling down, operations workers would be shifted from Round Mountain to the Gold Hill operation. Under this scenario, the maximum employment would be 1,040 during the construction period at Round Mountain, followed by 6 years ranging from 800 to 940 during operations at Round Mountain.

Construction at Gold Hill would temporarily raise the total to 940, but it would decrease to 800 the following year and would gradually decline to 140 in 2019 when mining would be completed at Gold Hill. Total employment would range from 40 to 90 workers for closure and final reclamation activities from 2020 through 2023.

It is anticipated that the majority of the additional work force will be hired from the local communities to the extent practicable.

Summary of the BLM's Preferred Alternative

The BLM's Preferred Alternative comprises the Proposed Action. The BLM's Preferred Alternative includes all applicant-committed environmental protection measures incorporated into the design of the Proposed Action and all mitigation measures specified in Chapter 4.0 of the Final EIS.

The BLM's Preferred Alternative will expand the project area at Round Mountain to the north, south, west and east from 7,263 acres to 10,385 acres. Ground disturbance will increase from an existing 5,928.0 acres to 8,944.5 acres. At Gold Hill, a project area of 4,928 acres will be delineated with proposed disturbance of 1,681.9 acres. A total of approximately 1,026 million tons of processed ore and 1,136 million tons of waste rock will be mined. The BLM's Preferred Alternative includes the construction, modification, and use of existing facilities at the Round Mountain Area. It also includes the construction and operation of facilities at the Gold Hill Area.

RMGC-Committed Environmental Protection Measures

Environmental protection measures identified in the Final EIS and incorporated into the Plan that will be implemented as standard operating procedures for the BLM's Preferred Alternative are summarized below. This ROD and Plan Approval expressly incorporates each of the following environmental protection measures.

Geology

- Geotechnical monitoring, consisting of geologic structure mapping, groundwater monitoring, and slope stability analyses, will be conducted during active mining to assist in optimizing the final pit designs. Slope movement monitoring also will be initiated to evaluate the safety of the open pit high walls. In addition, operational procedures for controlling blasting and bench scaling will facilitate mining with stable pit walls.

Water Resources

- The existing Round Mountain Monitoring Plan will be updated to include the expansion of the Round Mountain Pit and development of the Gold Hill Pit, which were submitted to the BLM and NDEP as part of the POO. Groundwater monitoring will be conducted to ensure compliance with permit criteria and provide for early identification of potential impacts.

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- All monitoring, production, and dewatering wells will be properly abandoned in accordance with Nevada regulatory requirements to prevent contamination of groundwater resources.
- Although there are no waters of the U.S. downstream of the study area, best management practices (BMPs) will be used to limit erosion and reduce sediment in precipitation runoff from project facilities and disturbed areas during construction, operations, and initial stages of reclamation. BMPs may include, but are not limited to, diversion and routing of stormwater using accepted engineering practices, such as diversion ditches, and the placement of erosion control devices such as sediment traps, and rock and gravel cover.
- Process components will be designed, constructed, and operated in accordance with NDEP regulations. The proposed heap leach pads and tailings impoundment facilities will be designed for zero discharge and will have a composite liner system in accordance with NDEP design criteria. The waste rock dumps will be evaluated for their potential to generate acid and/or mobilize deleterious constituents or sediment and will be monitored routinely.
- A field scale pilot test for potential infiltration of precipitation through the proposed alluvial cover for the two Gold Hill Waste Rock dumps will be conducted. This pilot test will consist of an area of alluvium at least 10 feet in thickness and of sufficient surface area to capture a representative sample of precipitation for the Gold Hill Area over a period of at least 5 years. Eight volumetric moisture probes will be installed in the alluvial test plot at depths of 2 feet, 4 feet, 6 feet, and 8 feet at 2 locations on the alluvial test plot sufficiently far apart to allow for a representative sampling of the alluvial test plot. The probes will be sampled on a regular basis and the data will be provided to the BLM and NDEP on an annual basis. At the end of the 5-year testing period, the data obtained from the probes will be used to calibrate an infiltration model and the model will then be run to evaluate potential infiltration of precipitation for expected average and reasonably expected maximum precipitation conditions. The results of the infiltration modeling will be used to adjust the final cover design for the Gold Hill waste rock dumps.
- On a semi-annual basis, RMGC will monitor wells, springs or seeps for water level and flow within the predicted maximum 10-foot groundwater drawdown isopleth created by pit dewatering at the Round Mountain and Gold Hill Areas. Ink House and Healy springs, close to the 10-foot isopleth will also be monitored on a semi-annual basis. A decline in the water table attributable to groundwater drawdown caused by mine dewatering and adversely affecting water wells or springs/seeps would be mitigated by RMGC in accordance with guidelines established by the BLM. Possible mitigation measures will include, but not be limited to, improving an existing well, installing a new well, improving or enhancing an existing spring or seep, or providing a replacement water supply for an impacted spring or seep. Access to springs and wells on private land will be subject to the permission of the landowner. Johnson springs 1 and 2 will not be monitored due to denial to access by the landowner (Johnson 2009). To the extent possible, mitigation will occur within the existing footprint of disturbance.

Cultural Resources

Class III cultural resource surveys have been performed over the entire study area. Avoidance is the BLM-preferred treatment for preventing effects to unevaluated sites or sites eligible for inclusion on the National Register of Historic Places [NRHP].

- If avoidance is not possible or is inadequate to prevent adverse effects to a site evaluated as eligible to the NRHP, data recovery or appropriate mitigation will be undertaken in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation," 48 CFR 44716 (September 29, 1983), as amended or replaced. If an unevaluated site cannot be avoided, additional information will be gathered and the site will be evaluated by a qualified archaeologist. If the site does not meet eligibility criteria as defined by the BLM and Nevada State Historic Preservation Office (SHPO), no further cultural work would be performed. If the site meets eligibility criteria, appropriate mitigation will be implemented in accordance with a BLM and SHPO-approved Treatment Plan.
- RMGC will provide reasonable advance notice of any near-surface excavation work within the Transportation/Utility Corridor area to Western Shoshone representatives and provide an opportunity for Western Shoshone monitors to be present to observe such excavations.
- If previously undocumented cultural resources are discovered during construction of the mine facilities, construction will be halted in the area of the discovery, and the BLM Authorized Officer will be contacted to evaluate the find. If the site is evaluated as eligible for inclusion on the NRHP, impacts will be mitigated through a data recovery program or appropriate mitigation measures developed by the BLM in consultation with the Nevada SHPO.

Hazardous Materials and Solid Waste

- Hazardous materials will be transported, stored, and used in accordance with Federal, state, and local regulations. Employees will be trained in the proper transportation, use, and disposal of hazardous materials.
- Releases of hazardous materials will be contained, mitigated, and reported in accordance with RMGC's Spill Response Plan. Prevention, containment, and cleanup measures in the Spill Response Plan will minimize the potential for related impacts to soils, vegetation, wildlife, and water resources.
- RMGC will construct, operate, and close the waived Industrial Class III landfill(s) in accordance with NAC 444.731 through 444.737. Employee training will continue to include appropriate landfill disposal practices such as the allowable wastes that can be placed in the landfill, management of used filters, oily rags, fluorescent light bulbs, aerosol cans, and other regulated substances. Signs will be installed at the landfill sites reminding employees of appropriate disposal practices.

Air Quality

- Appropriate air quality permits will be obtained from the NDEP, Bureau of Air Pollution Control

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(BAPC) for the new project facilities and land disturbance. As per BAPC regulations, the proposed project air quality operating permit must be authorized by the BAPC prior to component construction.

- Committed air quality practices will include dust control for mine unit operations as described by the BAPC required Dust Control Plan. In general, the Dust Control Plan will provide for water application of haul roads and other disturbed areas; chemical dust suppressant application (e.g., magnesium chloride) where appropriate; and other dust control measures per accepted and reasonable industry practice.
- Fugitive emissions in the process area will be controlled at the crusher and conveyor drop points by using water sprays where necessary. Appropriate emission control equipment would be installed and operated in accordance with the construction and operating air permits.
- Where required, pollution control devices installed by equipment manufacturers will control combustion emissions.
- Thermal processing units with the potential to emit mercury at levels above de minimis levels will be permitted by the NDEP. Emissions from these units will be subject to the Nevada Maximum Achievable Control Technology (NVMACT) evaluation process as required by the Nevada Mercury Control Permit (NMCP). Pollution control equipment would be installed, operated, and maintained in good working order to minimize emissions. The use of mercury suppressant chemicals in the Gold Hill leach circuit will be investigated.

Visual Resources

- During operations, the margins of the waste rock dumps will be constructed to provide for variable topography during final regrading, thereby providing a more natural post-mining landscape.
- Following the completion of mining, structures and buildings will be dismantled and removed from the site or placed in landfills unless otherwise prescribed by the BLM.
- Concurrent reclamation will be implemented to the extent practicable.

Soils and Watershed

- Suitable growth media will be salvaged up to a depth of 12 inches and stockpiled for use in reclamation (FEIS Table 3.13-1) during the development of the mine open pits, construction of the waste rock dumps, and during construction of the new leach pads and tailings impoundment facilities.
- Following stripping, growth media will be stockpiled adjacent to the proposed disturbance areas. Growth media stockpiles will be located such that they will not be disturbed by mining operations. Diversion channels and/or berms will be constructed around the stockpiles as needed to prevent erosion from overland runoff. BMPs such as silt fences or staked straw bales will be used as necessary to contain sediment liberated from direct precipitation.

- Stockpile conditions will be monitored following significant precipitation events. As stated in Section 2.6, Reclamation, RMGC may use a reclamation seed mix to stabilize these stockpiles in the short term.
- If fine-textured alluvium materials (e.g., clays, silts) are used for growth media, their use will be limited to slopes less than 20 percent and they would be covered with clean gravel mulch to a 0.5- to 1-inch depth.
- Roads, including paved or bladed roads and two-track roads, will be reclaimed at the completion of project uses unless the BLM specifies otherwise. Roads would be reclaimed by the following procedures:
 - Culverts will be removed, open drainage pathways will be restored and stabilized, and stream banks will be recontoured to the approximate original contour and revegetated;
 - The road prism will be restored to the approximate original land contour, where practicable;
 - Road surfaces will be recontoured or ripped along the entire disturbed length to the depth of compaction with a tool that has at least three to four shanks. For two-track roads, the middle shanks may be removed and only the tracks ripped. Blacktop that is fragmented and ripped into the subsoil will be covered with growth media to a minimum depth of 12 inches;
 - The entire road length will be revegetated;
 - The Transportation/Utility Corridor will be recontoured and revegetated. Culverts will remain in place for access and drainage; and
 - Gates and BLM-approved closure signage will be left in place until adequate restoration/revegetation/closure occurs to permit safe public access.
- Any area that receives repeated heavy traffic will be ripped to the depth of compaction by ripping with a tool that has at least three to four shanks. This will help prepare the seedbed, encourage infiltration, and help to prevent accelerated runoff and erosion.
- Roads temporarily left open for monitoring will be gated and signed where public access may be of concern. At the completion of their use, all such roads will be obliterated and their locations reclaimed by the methods listed above, unless otherwise prescribed by the BLM.
- Building foundations that are fragmented and remain on the site will be covered with growth media to a depth of 12 inches prior to reseeding.

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- RMGC will develop and provide the BLM with a formal protocol that further specifies guidelines for selection and approval of dump surfaces and heap leach pads eligible to be revegetated without application of growth media.
- Sludge remaining in ponds will be tested by the Meteoric Water Mobility Procedure (MWMP) and the Toxicity Characteristic Leaching Procedure for 8 Metals (TCLP 8) to determine the potential to degrade surface water or groundwater. If tests determine that there is a potential to re-mobilize adverse constituents, the sludge material will be transferred to an authorized disposal facility or otherwise properly managed.
- Water used for rinsing process piping, valves, or equipment will be managed on lined containment.
- Unless otherwise specified by BLM, embankments built for runoff and sediment retention will be breached and the channel area stabilized.

Erosion and Sediment Control

- Although there are no waters of the U.S. located downstream of the study area, BMPs will be used to limit erosion and reduce sediment in precipitation runoff from project facilities and disturbed areas during construction, operations, and initial stages of reclamation. BMPs may include, but are not limited to, diversion and routing of stormwater using accepted engineering practices, such as diversion ditches, and the placement of erosion control devices such as sediment traps, and rock and gravel cover.
- Concurrent reclamation will be maximized to the extent practicable to accelerate revegetation of disturbed areas. Sediment and erosion control measures will be inspected periodically, and repairs performed as needed.

Vegetation and Invasive and Non-native Species

- Revegetation of disturbance areas will be conducted as soon as practicable to reduce the potential for wind and water erosion, minimize impacts to soils and vegetation, help prevent the spread of invasive and non-native species in disturbance areas, and facilitate post-mining land uses. Following construction activities, areas such as cut and fill embankments and growth media stockpiles will be seeded where appropriate. Concurrent reclamation will be conducted to the extent practicable to accelerate revegetation of disturbance areas. Sediment and erosion control measures and revegetated areas will be inspected periodically to ensure long-term erosion control and successful reclamation.
- Any seed mixes and mulches used for reclamation will be certified weed-free. In accordance with its Noxious Weed Control Plan, RMGC will continue to monitor for the occurrence of noxious weeds, and if noxious weeds are found, weed control practices will be implemented to ensure that revegetation is successful with the proposed seed mixture.

Wildlife Resources

- Operators will be trained to monitor the mining and process areas for the presence of larger wildlife such as deer and pronghorn as well as avian and other terrestrial wildlife. Mortality information will be collected in accordance with the NDOW Industrial Artificial Pond Permit. RMGC will continue to operate in accordance with established wildlife protection policies that will prohibit feeding or harassment of wildlife.
- As part of the existing monitoring plan for wildlife, the top of the heap leach pad will be monitored daily for any substantial pooling of cyanide solutions and wildlife mortalities will be reported in accordance with the NDOW Industrial Artificial Pond Permit.
- Eight-foot-high chain-link fencing will be installed around the process ponds, and netting, pond covers, or floating "bird balls," as appropriate, will be installed over ditches and ponds that will contain leach solutions, to minimize potential impacts to avian and terrestrial wildlife. In addition, the drip emitters will be buried on the top flat surface where practicable and the heaps will be scarified to minimize ponding and pooling of process solutions.
- High density polyethylene (HDPE)-lined event ponds and water storage ponds will include an area of textured pond liner to minimize wildlife entrapment and allow safe egress from the ponds.
- The Round Mountain and Gold Hill project boundaries and Transportation/Utility Corridor will be fenced with 4-strand range fence; bottom strand will be smooth (a minimum of 18 inches above the ground), with the other 3 strands barbed. Pronghorn antelope crossing signs and vehicle speed limit signs would be placed along the Transportation/Utility Corridor. Between CR 875 and the proposed Gold Hill project boundary, 2 box-culvert underpasses will be constructed to provide for wildlife passage under the haul road.
- RMGC will monitor deer and pronghorn use along the Transportation/Utility Corridor. All big game mortalities will be reported to NDOW. Based on monitoring and mortality data and development of annual reports, RMGC will work with NDOW to determine if additional mitigation measures are necessary.
- To minimize potential impacts to wildlife species, weak acid dissociable (WAD) cyanide concentrations in the tailings impoundment facilities will be maintained at non-lethal levels through the continued operation of the existing cyanide detoxification system.
 - Standard, raptor-friendly designs as outlined in Suggested Practice for Raptor Protection on Power Lines (Avian Power Line Interaction Committee [APLIC] 2006, 1996; APLIC and U.S. Fish and Wildlife Service [USFWS] 2005) would be incorporated into the design of new electrical distribution lines to prevent electrocution of raptor species attempting to perch on the power poles and lines. These measures may include, but would not be limited to, a 60-inch separation between conductors and/or grounded hardware in eagle-use areas and recommended use of insulating or cover up materials and other applicable

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measures for perch management, depending on line configuration, pole type, and biological risk factors (APLIC 2006, 1996).

- If construction activities occur within suitable habitat during the raptor nesting season (March 1 through July 31), a raptor survey, including, but not limited to, hawks, eagles, and burrowing owls, will be conducted by a qualified biologist, and appropriate mitigation measures, such as buffer zones around occupied nests, will be developed and implemented, as needed.
- To protect nesting birds, removal of migratory bird habitat on currently undisturbed lands in the study area will be avoided to the extent possible between March 1 and July 31. Should removal of habitat be required during this period, RMGC will employ a qualified biologist to conduct breeding bird surveys and implement appropriate mitigation, such as buffer zones around occupied nests, as needed.
- To minimize vehicle collisions between mine traffic and wildlife species along the Transportation/Utility Corridor, RMGC will install speed limit signs and will set speed limits at 35 mile per hour (mph) for haul trucks and 45 mph for small vehicles.

To protect bat species that may be present within and near the study area, RMGC has committed to several measures that would minimize impacts to bat species. The following measures will be implemented to protect bat species within the study area:

Gold Hill Area

- Develop gate designs to mitigate for the loss of bat habitat.
 - In coordination with the BLM, USFS, and NDOW; RMGC will be responsible for the exclusion of bats and the installation of bat gates at 11 mine workings at Gold Hill. Selected bat roosts in Jefferson Canyon will be protected by constructing bat gates over mine portals of abandoned underground mine workings.
- Develop a schedule to complete gating activities.
 - The bat gates in Jefferson Canyon will be constructed at the same time or just prior to exclusion of bats from Gold Hill.
 - The BLM and NDOW will work with the USFS to initiate an appropriate level of resource studies and public scoping in order for the USFS to prepare a separate decision authorizing the construction of the bat gates.
- Construct bat gates at identified mitigation sites.
 - RMGC will hire an outside contractor experienced in bat gate design, construction, and installation for work performance.

- Exclude bats from the Gold Hill Mine workings prior to closure.
 - RMGC will hire a contractor experienced in bat exclusions and will coordinate with NDOW during the exclusion process.
 - The best time to implement exclusions and portal closures is during late summer, or early fall after cessation of maternity activities and prior to the onset of hibernation.
 - One-inch mesh material (e.g., chicken wire, polypropylene, or similar material) will be installed over mine openings to allow bat egress while effectively discouraging their return.
 - Immediately following final confirmation of bat exclusion, permanent closure of mine openings will be implemented.
- Bat monitoring at mitigated mine workings.
 - After bat gate installation, RMGC will conduct 3 years of post-mitigation monitoring of the bat-gated mine workings to determine the degree of use by bat species known to use both the historic Gold Hill and Jefferson Canyon mine habitats.
 - External monitoring (visual and/or acoustic methodologies) will need to be sufficient to account for nightly annual variation, such that several nights of data collection within the maternity season for each year at each site will be required, in coordination with NDOW.
 - Post-mitigation monitoring will be conducted by a qualified wildlife biologist.

Round Mountain Area

- RMGC will provide one-time funding for the installation of 20 bat gates to be used by NDOW for future bat habitat protection.
- Exclude bats from the Round Mountain Area mine workings prior to closure.
 - RMGC will hire a contractor experienced in bat exclusions and will coordinate with NDOW during the exclusion process.
 - The best time to implement exclusions and portal closures is during late summer or early fall after cessation of maternity activities and prior to the onset of hibernation.
 - One-inch mesh material (e.g., chicken wire, polypropylene or similar material) will be installed over mine openings to allow bat egress while effectively discouraging their return.

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- Immediately following final confirmation of bat exclusion, permanent closure of mine openings will be implemented.

Access and land Use

- Post-mining safety barriers (e.g., berms, fencing, or other appropriate barriers) will be installed peripherally to the ultimate perimeters of the pits after mining has been completed.
- Public access on CR 875 will be maintained during construction and operation of the Transportation/Utility Corridor.

Protection of Survey Monuments

- RMGC will protect all survey monuments, witness corners, reference monuments, bearing trees, and line trees against destruction, obliteration, or damage. Public land survey system monuments will be protected and preserved in accordance with Nevada BLM Instructional Memorandum (IM) No. NV-2007-003. If, in the course of operations, any monuments, corners, or accessories are destroyed, RMGC will coordinate with the BLM.
- Registered monuments that will be covered or destroyed in the normal course of events by the implementation of the approved POO will be replaced by RMGC at the completion of operations, using global positioning system (GPS) technology.

Monitoring and Mitigation Measures

Methods to minimize environmental effects from the BLM's Preferred Alternative have been identified in the Final EIS and made part of this ROD. A full discussion of these measures can be found in Chapter 4.0 of the Final EIS. RMGC will implement and adhere to all monitoring and mitigation measures identified in the Final EIS.

Geology and Minerals

Based on the EIS analysis, no additional monitoring or mitigation is required for geology and minerals.

Water Quality and Quantity (Surface and Ground) and Water Use

Environmental protection measures would be implemented by RMGC as described in Section 2.5, RMGC's Environmental Protection Measures. Based on the analysis in the EIS, no additional monitoring and mitigation measures are required for water quality and quantity (surface and ground) and water use.

Cultural Resources

All known NRHP-eligible properties identified within the APE will be mitigated in accordance with the

NHPA and NEPA. Any cultural properties that may be discovered during construction activities will be reported to the BLM in accordance with RMGC's environmental protection measures as described in FEIS Section 2.5.3, Cultural Resources. Therefore, based on the analysis in the EIS, no additional mitigation or monitoring is required.

Native American Traditional Values

Although prehistoric and ethnohistoric sites and associated artifacts exist within the general area of the proposed expansion, no Native American traditional use sites, activities, or associated resources are known to exist in proposed disturbance areas. Therefore, no mitigation measures specific to contemporary tribal uses is proposed.

However, for those archaeological sites (prehistoric and historic) scheduled or proposed for treatment (i.e., data recovery/excavation), tribal participants will be given the opportunity to monitor the data recovery efforts, and provide interpretation of any artifacts or features discovered during the process. In addition, the BLM or a contracted Cultural Resources Specialist/Archaeologist, accompanied by designated tribal representatives and/or descendants, may conduct periodical or stipulated monitoring of sites scheduled for avoidance before, during, and after project construction. Monitoring of identified archaeological sites within and in close proximity to proposed disturbance areas could occur throughout the life of the project to ensure agreed upon avoidance.

Hazardous Materials and Solid Waste

Based on the analysis in the EIS and compliance with current statutes and regulations that govern the transportation, storage, use, and disposal of hazardous materials and the disposal of solid wastes, no additional monitoring or mitigation measures are required for hazardous material and solid wastes.

Air Quality

Based on the analysis in the EIS, and since the Proposed Action will comply with air quality standards, no additional monitoring or mitigation measures is required for air quality.

Paleontological Resources

Based on the analysis in the EIS, no additional monitoring or mitigation is required for paleontological resources.

Social and Economic Values

Issue # 1: The availability of housing is likely to be problematic for implementation of the Proposed Action under either the Simultaneous Development Scenario or the Sequential Development Scenario.

Mitigation Measure SE-1: If a substantial increase in new operations-related employment occurs, a plan will be developed for providing the needed housing for construction and operations workers or for

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providing bussing of workers from the Tonopah area.

Issue # 2: A shortage of worker housing may result in unauthorized ad hoc camping on public lands.

Mitigation Measure SE-2: Information regarding unauthorized camping on public lands will be included in RMGC's new hire training program.

Recreation

Based on the conclusion of the impact analysis in the EIS, no additional monitoring or mitigation measures is required for recreation.

Wilderness

Based on the conclusion of the impact analysis in the EIS, no additional monitoring or mitigation measures is required for wilderness.

Visual Resources

Issue # 1: Expansion of the tailings impoundment facility will result in a strong visual contrast with the surrounding landscape.

Mitigation Measure VR-1: To reduce the visual contrast of the proposed tailings impoundment, RMGC will vary slope angles and avoid long linear features and overly simple geometric forms, to the extent that the engineering design permits. During final reclamation, relief on the top of the south and west perimeter of the impoundment will be varied with horizontally and vertically irregular massing to repeat the basic elements of the natural landscape and surrounding foothills. These modifications will be implemented such that they would not affect the geotechnical stability of the tailings impoundment.

Issue # 2: Potential effects of night lighting on the surrounding area.

Mitigation Measure VR-2: To the degree possible, consistent with mine safety, night lighting for the project will be directed downward and shielded to minimize spillover of light beyond the project boundary.

Issue # 3: Potential color contrast of buildings relative to the surrounding landscape.

Mitigation Measure VR-3: RMGC will paint or construct buildings associated with the proposed project using earth tone colors in order to minimize color contrasts with the surrounding landscape.

Soils and Watershed

Issue # 1: Runoff could pool along the waste rock dumps in the Gold Hill Area, affecting mass stability of these features. In addition, if such pools form, they could create areas where surface water quality is reduced through long-term contact with waste rock materials. The severity of such impacts would depend on the locations, sizes, and depths of any pools that formed.

Mitigation Measure SW-1: In reclamation planning, RMGC will incorporate stormwater controls (e.g. stormwater ponds, diversions) for the watershed areas of the North Waste Rock Dump and northern portion of the West Waste Rock Dump in the Gold Hill Area.

Vegetation

Issue # 1: The potential long-term loss of riparian vegetation along seeps, springs, intermittent, and perennial waterbodies as a result of groundwater drawdown and surface disturbance-related impacts.

Mitigation Measure V-1: All vegetation mitigation measures will be conducted in accordance with the established Riparian Mitigation Plan and Riparian Monitoring Plan. RMGC will monitor potential changes in the extent of riparian vegetation associated with: Willow, Indian, Jefferson, Kelsey and Shoshone creeks (located within the 10-foot groundwater drawdown isopleth); and Ink House and Healy springs (located outside of the 10-foot groundwater drawdown isopleth) on an annual basis beginning on the first year of operational activities through the period of predicted maximum drawdown (through 2048). In addition, RMGC will select a proportionate number of riparian sites, at locations that are not expected to experience groundwater-related impacts from the proposed project or RFFAs (FEIS Table 2.9-1), to be monitored at the same frequency for use as “control sites”. These sites will be selected in coordination with the BLM and would exhibit similar landforms, hydrologic characteristics, and species composition by which comparisons could be made to assess potential impacts to riparian areas within the 10-foot groundwater drawdown isopleth. The data collected on the first year following the commencement of operational activities would serve as the riparian vegetation baseline in which all subsequent years would be compared. Annual monitoring will be designed to quantify the percent of each community type in a particular riparian complex through the use of plant species present as the primary biological indicator. Site-specific sampling protocols and techniques will be developed by RMGC in consultation with the BLM, and will be consistent with established riparian sampling methodologies. Monitoring locations and frequency may be adjusted. An annual monitoring report will be developed by RMGC and submitted to the BLM for review. In addition to the above mentioned monitoring report, the results of the annual riparian vegetation surveys will be correlated and normalized with climatic data and riparian control site data, and combined with surface and groundwater monitoring information to determine if any loss of riparian vegetation is attributed to project-related groundwater drawdown activities. The BLM will determine whether any observed riparian vegetation impacts are attributed to project-related activities, based on the review of the monitoring report in conjunction with other observations (e.g., livestock and/or wildlife use). Upon review of the monitoring report, the BLM will provide RMGC with a site-specific determination indicating if degradation of riparian habitat as a result of groundwater drawdown occurred. If riparian habitat is found to have been degraded as a result of groundwater drawdown caused by RMGC dewatering activities, RMGC will have 90 days to submit an appropriate riparian impact mitigation plan to the BLM for review and concurrence. Mitigation will be completed within the first appropriate field season following BLM's concurrence with the plan. Appropriate mitigation may include the enhancement of existing riparian areas (e.g., installing BLM-approved fencing to minimize livestock impacts, supplemental planting or seeding of native riparian species, removal of noxious weed and invasive species [i.e., tamarisk], headcut control, and/or implementation of seeps and springs environmental protection measures as described in FEIS Section 2.5, RMGC's Environmental Protection Measures) within the 10-

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foot groundwater drawdown isopleth or at off-site locations (outside the 10-foot groundwater drawdown isopleth) to compensate for any loss of riparian vegetation. The loss of riparian vegetation would be compensated at a 2:1 ratio (i.e., for every acre of riparian vegetation degraded or lost as a result of project-related impacts, 2 acres of riparian vegetation will be enhanced). RMGC will be responsible for monitoring these riparian enhancement sites on an annual basis for approximately 3 years after implementation to ensure that these mitigation measures were effective and provide similar functioning condition as established riparian areas would be expected to achieve in the absence of mine development, using the control areas as a guide. RMGC will provide 1.2 acres of enhanced riparian vegetation to compensate for the 0.6 acre of direct disturbance (see FEIS Table 4.14-1). Enhancement measures for this mitigation may include removal of tamarisk and/or supplemental planting or seeding of native riparian vegetation on 1.2 acres. RMGC, in coordination with BLM, will identify the sites for mitigation and implement mitigation measures within 1 year of direct disturbance. RMGC will monitor these riparian enhancement sites on an annual basis for at least 3 years after treatment to ensure effectiveness.

Noxious Weeds and Invasive Species

Based on the analysis in the EIS, no additional monitoring or mitigation measures are required for noxious weeds and invasive species.

Range Management

Based on the analysis in the EIS, no additional monitoring or mitigation measures are required for range management.

Wildlife and Fisheries Resources

Mitigation that will minimize impacts to riparian habitat from the proposed project is described in FEIS Section 4.14.6, Monitoring and Mitigation Measures. The enhancement of existing riparian habitat will offset any loss of available riparian habitat for wildlife species that is attributable to the proposed project. Therefore, based on the analysis in the EIS, no additional monitoring or mitigation measures are required for wildlife and fisheries resources.

Special Status Species

Based on the analysis in the EIS, no additional monitoring or mitigation measures are required for special status wildlife species.

Access and Land Use

Based on the analysis in the EIS, no additional monitoring or mitigation measures are required for access and land use.

Noise

Based on the conclusions of the EIS impact analysis, no noise monitoring measures will be required. Higher noise levels at the Round Mountain townsite indicate efforts to minimize noise at the community will be warranted.

Issue # 1: Increased noise levels at the Round Mountain townsite from proposed activities in the Round Mountain Area.

Mitigation Measure N-1: If residents complain about excessive noise from mining operations during the pit expansion into the area south of the Round Mountain townsite, RMGC, in consultation with the BLM, will mitigate noise impacts to the Round Mountain townsite. Mitigation measures could include reduction of mining activities during hours of darkness, mining the pit expansion from the south to the north, to the degree possible, and constructing a substantial berm between the townsite and mining operations. BLM will select mitigation measures for implementation after consultation with RMGC and affected residents.

Environmental Justice

Based on the analysis in the EIS, no additional monitoring or mitigation measures are required for environmental justice.

PUBLIC INVOLVEMENT

A Notice of Intent to prepare an EIS was published in the Federal Register (FR) on December 26, 2006 (FR Volume 71, Number 247). Public scoping meetings for the EIS were held in Hadley and Tonopah, Nevada, on January 17 and 18, 2005, respectively; the comments received during the scoping process were considered in developing the EIS.

The scope of the EIS reflects input received from the public and from appropriate government agencies. The scoping comments were summarized in the preliminary EIS Preparation Plan. The following are the key scoping issues identified for the Project.

- Potential groundwater and surface water impacts from pit dewatering.
- Potential water quality impacts from acid-generating waste rock.
- Potential impacts related to pit lake formation.
- Potential impacts related to mercury in the ore.
- Potential impacts to cultural resources.
- Development of a mitigation plan to protect cultural resources and access.
- Backfilling of existing and proposed pits with waste rock.
- Closure of heap leach pads.

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- Seed mixes to be used for rehabilitation.
- Utilize consistent lighting mitigation measures that follow Dark Sky lighting practices.
- Utilize consistent mitigation measures that address logical placement of improvements and use of appropriate screening and structure colors.
- Noxious weeds in the project area.
- Big game and upland game species presence in the project area.
- Use fencing to prevent big game access to heap leach pads.
- Potential impacts to bat species and habitat and the development of appropriate mitigation.
- Potential impacts to federal- and state-listed species.
- Potential noise impacts from mining equipment.
- Relocation of a 230-kV transmission line, which will require a permit.
- Potential impacts to water quality, air quality, noise levels, safety, land values, and access to private property.

The Draft EIS Notice of Availability (NOA) was published in the FR on July 31, 2009, initiating a 45-day public comment period for the Draft EIS. Two public meetings were held during this period; a meeting was held in Hadley on August 18, and a meeting was held in Tonopah on August 19. The BLM received a total of approximately 22 letters with comments during the Draft EIS public comment period. The public comments were addressed in the Final EIS.

The Final EIS NOA was published in the FR on April 23, 2010, initiating a 30-day review period for the Final EIS. The BLM received comments from Great Basin Resource Watch, EPA, and two emails during the Final EIS review period. Substantive comments were evaluated and considered by BLM before approving this Record of Decision.

The BLM reviewed and considered each comment received during the NEPA process for the Round Mountain Expansion Project in determining the BLM's Preferred Alternative, including monitoring and mitigation measures, and in preparing this Record of Decision for the Project.

Native American Consultation and Coordination

The BLM mailed information on the proposed Round Mountain Mine expansion to the Timbisha, Duckwater, Yomba, and Ely Western Shoshone Tribes (Tribes) in December 2006. Tribal representatives and individuals attended scoping meetings for the project in January 2007. In September 2007, the BLM sent letters about the Round Mountain Expansion to the Tribes. The letter requested input and invited the Tribes to consult on the project. Subsequently, a group of Native Americans whose predecessors had lived in the Big Smoky Valley until the 1930s formed an

association called the Western Shoshone Descendents of Big Smoky Valley to engage the BLM and the project proponent on issues related to the mine expansion. None of the Tribes or the association has requested consultation to date. Several informal meetings were held at the Round Mountain Mine attended by tribal representatives and members of the newly-formed Association. Six informal meetings were held through April 2009. Some of the meetings included field trips to inspect cultural sites discovered during cultural surveys of the proposed project area. Some tribal representatives and individuals attended the two BLM-hosted public meetings on the Draft EIS held on August 18 and 19, 2009. Written comments from Native Americans were received at the meetings and by mail during the public comment period (July 31, 2009 to September 14, 2009). Their comments relate to the protection of Native American/cultural sites. They expressed concern that if any cultural excavation/data collection were necessary as result of disturbance associated with the proposed action, that a Native American representative be present during those activities.

PLAN OF OPERATIONS AMENDMENT APPROVAL

RMGC's Amendment to the Plan of Operations, filed pursuant to 43 CFR § 3809, for the Round Mountain Expansion Project initially was filed with the BLM in June 2006; and a revision was filed in June 2009. The Plan was assigned BLM case file number NVN-072662. RMGC will file a revised Plan subsequent to the issuance of the ROD to incorporate actions reflected in the Final EIS.

Approval of the Plan is granted based on the adoption of RMGC's-committed environmental protection measures and compliance with mitigation and monitoring detailed in the Final EIS (NV065-EIS06-163) and ROD. RMGC only may perform those actions that have been described in the Plan. RMGC also must comply with all federal, state, and local regulations including obtaining all necessary permits from NDEP and other federal, state, and local agencies, and fulfilling any other FLPMA requirements applicable to the Project before proceeding with this Project.

The surface occupancy proposed in association with this Project meets the conditions specified in the applicable regulations (43 CFR § 3715). BLM is in concurrence with the occupancy of the subject lands. RMGC must continue to comply with sections 3715.2, 3715.2-1, and 3715.5 of the regulations.

Based on review of the reclamation cost estimate submitted by RMGC for the Plan, this office has determined the total reclamation cost to be approximately \$164,716,108 for the acres of possible surface disturbance on public and private lands. Prior to conducting expansion activities, a financial guarantee must be filed and accepted by the BLM, Nevada State Office, Branch of Minerals Adjudication, P.O. Box 12000, Reno, Nevada 89520-0006. RMGC must receive written notification from that office accepting and obligating the financial guarantee before RMGC may begin any new surface disturbing operations. Failure to provide an acceptable financial guarantee may result in an enforcement action against RMGC for failure to maintain an acceptable financial guarantee.

RMGC will also create a long-term trust fund to assure RMG performance of long term post closure monitoring and mitigation obligations of RMGC for the Round Mountain mine pursuant to the plan of

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operations (Section 3.25) approved by the BLM. The long-term trust fund will be funded by an initial contribution of \$1,407,132 in 2010 and will be reviewed annually. Creation and funding of the long-term trust fund does not release RMGC from the responsibility to complete the long-term monitoring and mitigation obligations in the plan of operations, or preclude BLM from requiring further reclamation, monitoring or mitigation pursuant to 43 C.F.R. Subpart 3809 should conditions warrant. If necessary, this long-term financial assurance may be used by the BLM to complete the post-closure obligations. These long term management activities are described in the POO, section 3.25 (Long Term Monitoring and Maintenance) as well as in the FEIS (pg. 2-99, section 2.6.9).

At a minimum of 2 years prior to commencing final closure and reclamation, the operator of the Project will submit to the BLM and NDEP a final permanent closure plan for the heap leach facility and associated ponds with a detailed environmental impact analysis. On the basis of this and any other relevant information, BLM may require additional bonding.

All operators must comply with applicable federal and state laws dealing with the storage and disposal of chemicals, petroleum, petroleum products, Resource Conservation Recovery Act (RCRA) Subtitle C hazardous wastes, and RCRA Subtitle D solid wastes. Under no circumstances can chemicals, petroleum, petroleum products, or RCRA Subtitle C hazardous wastes be disposed in solid waste disposal areas on the mine or mill site without the written approval of the NDEP.

The operator must identify what waste products will be produced, whether the waste streams are hazardous or solid, and the disposal method and location. If hazardous wastes are generated, the operator must obtain an U.S. Environmental Protection Agency generator identification number from NDEP and must manifest all shipments off site. Copies of the manifests must be available for the Authorized Officer's inspection.

Approval of the Plan will not now nor in the future serve as a determination of the ownership or the validity of any mining claim in which it may relate. Approval of the Plan in no way implies the economic viability of the operation. Any modification to the Plan must be coordinated with and approved by the Authorized Officer. Surface occupancy related to the Plan is reasonably incidental to the mining operation.

43 CFR 3809 Appeal Statement

If you do not agree and are adversely affected by this decision, in accordance with 43 CFR § 3809.804, you may have the BLM State Director in Nevada review this decision. If you request a State Director review, the request must be received in the BLM Nevada State Office, 1340 Financial Blvd. 89502, P.O. Box 12000, Reno, Nevada 89520-0006, no later than 30 calendar days after you receive this decision. A copy of the request must also be sent to this office. The request must be in accordance with the provisions provided in 43 CFR § 3809.805. If a State Director review is requested, this decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director.

If the Nevada State Director does not make a decision on whether to accept your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You then have 30 days in which to file your notice of appeal with the IBLA (see procedures below).

If you wish to bypass the State Director review, this decision may be appealed directly to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (Battle Mountain District, 50 Bastian Road, Battle Mountain, Nevada 89820) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulations 43 CFR § 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay also must be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or by other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

REFERENCES

APLIC 2006, 1996

Johnson 2009

Round Mountain Gold Corporation (RMGC). 2009. Round Mountain 2009 Expansion Plan of Operations Amendment N-72662. Submitted to the United States Department of the Interior, Bureau of Land Management. June 2009.

_____. 2008b. Round Mountain 2008 Expansion Plan of Operations Amendment N-72662. Submitted to the United States Department of the Interior, Bureau of Land Management. May 2008.

_____. 2006. Round Mountain 2006 Expansion Plan of Operations Amendment N-72662. June 2006.

U.S. Fish and Wildlife Service [USFWS] 2005 (listed on page 14).

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL THE FOLLOWING PROCEDURES MUST BE FOLLOWED

- | | |
|---------------------------------|---|
| 1. NOTICE OF APPEAL..... | A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413). |
| <hr/> | |
| 2. WHERE TO FILE | |
| NOTICE OF APPEAL..... | Bureau of Land Management, Battle Mountain Field Office, 50 Bastian Road, Battle Mountain, Nevada 89820 |
| WITH COPY TO | Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 S. State Street, Salt Lake City, UT |
| SOLICITOR..... | 84138-1180 |
| <hr/> | |
| 3. STATEMENT OF REASONS | Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413). |
| WITH COPY TO | |
| SOLICITOR..... | Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 S. State Street, Salt Lake City, UT
84138-1180 |
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| 4. ADVERSE PARTIES..... | Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. |
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| 5. PROOF OF SERVICE..... | Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)). |
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| 6. REQUEST FOR STAY..... | Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your notice of appeal (43 CFR 4.21 or 43 CFR 2801.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay. |

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ----- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2005)